

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

TERRI EDWARDS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

CASE NO. 2:16-cv-00630 RSL

ORDER TO PROVIDE PROOF OF  
SERVICE OR TO SHOW CAUSE  
WHY THIS MATTER SHOULD NOT  
BE DISMISSED

This matter has been referred to United States Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1) and Local Magistrate Judge Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261, 271-72 (1976).

Because there is no evidence in the record that this case has been properly served, the Court hereby orders plaintiff to provide proof of service or show cause by **August 26, 2016** why this matter should not be dismissed for lack of prosecution.

Fed. R. Civ. P. 4(m) requires a defendant to be served within 90 days after a complaint is filed. Fed. R. Civ. P. 4(l) requires proof of service to be filed or made to the court. At this time, although the Complaint in this matter was filed on May 3, 2016, the record does not show that

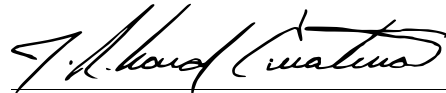
1 the Complaint has been properly served (*see* Dkt. 3).

2 Fed. R. Civ. P. 4(i) governs service with respect to complaints against the United States  
3 and against United States agencies, officers and employees. *See* Fed. R. Civ. P. 4(i); *see also*  
4 *Villegas v. Astrue*, No. 12-cv-1585, U.S. Dist. LEXIS 55223 at \*1-\*2 (C.D. Cal. April 18, 2012)  
5 (unpublished opinion) (*citing* Fed. R. Civ. P. 41(b)).

6 Fed. R. Civ. P. 4(m) requires the court to provide notice to plaintiff before the matter may  
7 be dismissed for lack of prosecution, and Rule 4(i)(4) requires the court to allow a reasonable  
8 time for plaintiff to cure a failure to serve multiple entities, if plaintiff has effected service on  
9 either the United States attorney or the Attorney General of the United States.

10 Plaintiff is ordered to provide proof of service or show cause why this matter should not  
11 be dismissed for lack of prosecution by **August 26, 2016**. Failure to provide proof of service or  
12 show cause shall result in a Report and Recommendation to dismiss this action.

13 Dated this 11th day of August, 2016.

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16 J. Richard Creatura  
17 United States Magistrate Judge  
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